MULTIMEDIA UNIVERSITY

STUDENT IDENTIFICATION NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2015/2016

UYL2612 – CYBERLAW

(All Sections / Groups)

09 MARCH 2016
Reading Time: 9:00 a.m. – 9:15 a.m.
(15 Minutes)
Answering Time: 9.15 a.m. – 12.15 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENTS

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their Question Paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question Paper consists of 3 pages with 5 questions only.

3. Attempt **FOUR (4) out of FIVE (5) questions**. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are allowed to bring into the Examination Hall CLEAN and ORIGINAL copies of the following statutes:
(i) Communications and Multimedia Act 1998, (ii) Computer Crimes Act 1997, (iii) Digital Signature Act 1997, (iv) Electronic Commerce Act 2006, (v) Personal Data Protection Act 2010, (vi) Copyright Act 1987, (vii) Trade Marks Act 1976, (viii) Patents Act 1983.

5. Write all your answers in the Answer Booklet provided.

QUESTION 1

The Internet started life as a network of computers called the ARPANET in 1966. Over the decades the Internet has become a nexus of human activity. As users find new ways to enrich their lives via the Internet, users find new ways to abuse it, too.

Explain **five (5)** trending or current issues that plague cyberspace today.

(Total: 25 marks)

QUESTION 2

In Malaysia, the Mykad incorporates a micro controller chip with 32 kilobytes of EEPROM memory and a separate cryptographic processor.

As a citizen of Malaysia, Xanthippus holds one such card. This re-writable smart card stores a coloured photograph of him compressed to only 5 kilobytes. His name and his address among other details are also stored in the card. There is an excess of 18 kilobytes of memory available to incorporate more information in the future as and when they are identified.

The MyKad uses two biometric measures: the face and fingerprints. As such the chip and biometric technology ensures Xanthippus' face and fingerprints are kept secured and accurate. Also this information can only be accessed through a card reader available only to law enforcers. These security measures are said to protect Xanthippus from any kind of forgery and misuse of the card.

Despite the security measures attached to the card, Xanthippus has come to know that one of the access restrictions known as "read protected and write protected access" attached to the card has been tampered with by a third party. He suspects that the tampering either took place during the time he used the Mykad at the National Registration Department or at the time he gave the MyKad to the clerk for registration purposes at the new fitness centre for obtaining his annual membership.

He wishes to know whether the information stored in the MyKad is protected under the general principles of data protection laws and the rights available to him in the event he wishes to bring an action against those responsible for the tampering of the card.

Advise Xanthippus.

(Total: 25 marks)

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QUESTION 3

Xanthippus is a law graduate of Multimedia University who has just opened his own legal practice in Malacca. He has decided to advertise his practice and keep it current and relevant with the present generation with a website. He registered his domain name as www.xanlegal.com. He invested a considerable amount of money into the website with weekly updates of pictures, selfies and posts.

A few months later, Xavier, another lawyer, tried to register his legal practice website domain name as xanlegal.com but failed as someone had already registered that domain name. He is upset as he feels that he is entitled to that domain name as he has had a successful practice in Seremban for the past ten years. The name of his firm is Xavier, Abelard, Norbert & Associates. Due to the success, age and unique names of its partners the firm is very well known locally as "Xan".

Xan wrote a letter to Xanthippus & Associates demanding that the latter relinquish the domain name to Xan as Xan had the more legitimate right over it. Xanthippus responded that it chose to refuse to refusing to do so. Xan retaliated by telling fellow lawyers and clients in the south of Malaysia that Xanthippus was an embarrassment to the legal profession. They said that his law degree was from a degree mill and that he degrades the legal fraternity with his shameless and self-indulgent posts on the firm's website.

Xanthippus was very hurt by this. He googled Xan and found their website domain xanlegalseremban.com. He believes that domain name will certainly create confusion with his firm's domain name.

Advise Xavier as to whether he can claim the domain name in dispute. Advise Xanthippus on whether he can take any legal action against Xan for the confusing domain name.

(Total: 25 marks)

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QUESTION 4

Nowfel is the owner of Instanet, a local cybercafé in Bukit Beruang. He provides services for online multiplayer gaming and websurfing.

Last week he was charged by authorities for posting seditious comments, suggesting overthrowing the government on a blog based on the IP addresses of his computer.

Nowfel is very confused and upset, as he says that he never visited any such blog. He says that it must have been any one of the patrons using the computers in his cybercafé. "I can't be responsible and control what they type using the computers," he says.

Besides this, he has also been charged as his patrons commonly use the services of the cybercafé to acquire and gain access to child pornography via computers that are placed in a darkly lit room at the back of the café.

Advise Nowfel as to his possible cyber-criminal liabilities.

(Total: 25 marks)

QUESTION 5

A "digital signature", according to section 2 of the Digital Signature Act 1997, "means a transformation of a message using an asymmetric cryptosystem such that a person having the initial message and the signers' public key can accurately determine-

(i) whether the transformation was created using the private key that corresponds to the signer's public key; and

(ii) whether the message has been altered since the transformation was made."

(a) With reference to the above, explain and contrast that with the concept of "electronic signatures".

(15 marks)

(b) Provide an explanation as to what amounts to "asymmetric cryptosystem" in the definition above.

(10 marks)

(Total: 25 marks)

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